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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/816,177	03/26/2001	Masaaki Hatano	04329.2553	7586

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EXAMINER

MITCHELL, JAMES M

ART UNIT PAPER NUMBER

2822

DATE MAILED: 12/26/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/816,177

Applicant(s)

MASAAKI HATANO

Examiner

James Mitchell

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3. 6) ☐ Other: _____

DETAILED ACTION

1. This office action is in response to the application filed March 26, 2001.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chittipeddi (U.S. 2001/0036716A1) in view of Michio (JP 63-128648).
4. Chittipeddi discloses a Cu film (44) above a main surface (11), an intermediate layer (55) comprising a combination of refractory metals and refractory metal nitrides (Paragraph 0021, Lines 11-14) formed on said film, and an Al film (56) formed on said intermediate layer, said intermediate layer comprising a first portion which contacts said Cu film and a second portion which does not contact said Cu but that is in contact with an insulating layer (58).
5. Chittipeddi shows generally that layers of the refractory metals and refractory metal nitrides can be combined to form an intermediate barrier layer, but does not state any specific combination, however Michio utilizes a Ti/TiN barrier layer between a copper and aluminum metal layer (Fig.1, Items 5,6).
6. It would have been obvious to one of ordinary skill in the art to form the barrier layer of Chittipeddi with a Ti/TiN intermediate layer in order to improve the bonding property as taught by Michio (abstract).

7. Claims 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chittipeddi in view of Maekawa (U.S. 2001/0009804A1).

8. Chittipeddi discloses the elements stated in paragraph 4.

Chittipeddi further suggest a three-layered intermediate barrier, but does not explicitly state that a first and second refractory metals are formed on a refractory metal nitride.

9. However, to form a barrier comprising a first refractory film, a refractory metal nitride formed thereon and a second refractory film formed on said nitride layer would have been obvious to one of ordinary skill since stacked barrier layers such as Ti/TiN/Ti are well known in the art as diffusion barriers for copper and aluminum as shown by Maekawa (Paragraph 0043, Line 3).

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Rathore et. al. (U.S. 6,258,710), Ramsey et. al. (U.S. 5,455,195) and Breedis et. al. (U.S. 4,498,121).

The prior art discloses in Rathore the use of a Ti/TiN/Ti intermediate barrier layer, and in Ramsey and Breedis the use of an intermediate barrier layer between a copper and aluminum layer to prevent degradation in the integrity of the bond.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Mitchell whose telephone number is (703) 305-0244. The examiner can normally be reached on M-F 10:30-8:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Whitehead Jr. can be reached on (703) 308-4940. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3432 for regular communications and (703) 305-3230 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

jmm
December 14, 2001


CARL WHITEHEAD, JR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2000